IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 8th day of November 2005
Bail Application No. 1005 of 2005
Order on the bail application of accused

CRIMINAL SIDE

Virendra Chauhan
S/o Makhan Singh @ Mukhiya
R/o Village Mankawala
Teegari
Police Station Nagina
District Bijnore …Applicant

Versus

State of Uttaranchal … Opposite Party

Arising out of Case Crime No. 2330 of 2005
Under Sections 363, 365, 376 I.P.C.
Police Station Kashipur
District Udham Singh Nagar

By the court

Hon'ble B.C. Kandpal, J

The applicant has applied for bail in case crime No. 2230 of 2005 Under Sections 363, 365, 376 I.P.C., Police Station Kashipur, District Udham Singh Nagar.

Heard Sri Vinod Sharma, learned counsel for the applicant, learned A.G.A. and perused the record.

The record reveals that the prosecutrix remained in the company of the applicant for several days. The medical examination report of the prosecutrix shows her age was more than 16 years and below 18 years at the time of the occurrence. The First Information Report in this case has also been lodged after a period of 39 days.

The applicant is in jail since July 2005 and learned A.G.A. could not produce any criminal history of the applicant before me.

Having considered the aforesaid facts and circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Virendra Chauhan be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

08.11.2005
ASWAL